

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 005012

SIPDIS

E.O. 12958: DECL: 08/04/2013

TAGS: [PGOV](#) [PHUM](#) [ECON](#) [SOCI](#) [JO](#)

SUBJECT: LOWER HOUSE TRYING TO ROLL BACK ON WOMEN'S  
ISSUES...BUT FACE PROCEDURAL OBSTACLES AND NEGATIVE  
BACKLASH FROM PRESS

REF: AMMAN 4894

Classified By: CDA DAVID HALE FOR REASONS 1.5 (B) AND (D)

-----  
SUMMARY  
-----

1. (U) The Lower House of Parliament voted on August 3 to reject two of the 211 temporary laws passed since Parliament was disbanded two years ago and sent another 86 temporary laws to special committees for further examination. The laws in question--which deal with marriage/divorce and honor crime punishments--next have to be reviewed by the Senate, which is likely to effectively freeze action, leaving the temporary laws--and these important advantages for women--in place indefinitely. Meanwhile, the Jordanian press and women's groups have responded loudly and negatively to Parliament's efforts. End Summary.

-----  
PARLIAMENT ATTEMPTS TO ROLL BACK WOMEN'S RIGHT TO DIVORCE  
-----

2. (C) Islamists and some tribal Parliamentarians united to initiate the repeal of an amendment to the Civil Status Law that allowed women to divorce their husbands and that also raised the legal age of marriage. The amendment allowing women the right to divorce received the most condemnation from these deputies. Since the beginning of the year until June 30, over 630 women have taken advantage of the law, despite the amendment's requirement that a women give up any claims to her husband's estate and return her dowry. Islamists argued that the law undermined families and encouraged divorce. The press quoted unnamed MPs as describing the amendment as "one of the most dangerous laws issued in the Kingdom." The other section of the amendment raised the age of marriage for both men and women from 16 and 15 respectively to 18, and inspired more criticism from Parliamentarians, some of whom argued that the law was "contradicting the very nature of Jordanian society", according to press reports.

3. (C) Whether or not the amendment is actually repealed will depend on if the Senate, or Upper House, agrees with the decision of the Lower House. If the Senate approves the Lower House decision, then the law is nullified. If the Senate does not agree to repeal the amendment, the temporary law is sent back to the Lower House for debate. If after more discussion, the Lower House still wants to repeal the law, the Senate and Lower House convene a joint session and vote on the repeal. Only if two-thirds of the combined legislators vote to repeal the law is the law then nullified.

4. (C) Women's groups have already begun work to gain Senate blockage of the Lower House decision, with local press reporting that a delegation of women's activists called on Senate President Zeid Rifa'i on August 5, the day following the Lower House rulings. Rifa'i told diplomatic contacts that his inbox is "very deep", implying that the Senate could sit on this issue for some time before bringing it up for debate. Indeed, controversial "temporary" laws can get lost in the Parliamentary process for years--there are some in effect now that date back to the 1980s.

-----  
HONOR CRIMES AMENDMENT REPEALED...IN NAME ONLY  
-----

5. (C) The Lower House also voted to reject an amendment to the penal code that stiffened penalties for "crimes of passion" (Article 340 in the penal code). In reality, the amendment in dispute had no effect on lengthening the prison sentences of those accused of honor crimes (the killing of women to defend family honor) and was mostly an important symbolic gesture by the GOJ when it was passed in 2001 to show progress on the issue. Specifically, the amendment only applied to murder victims who are caught by their spouses or relatives in the act of committing adultery. But since almost all honor killings take place after the alleged adulterous act, courts instead apply a different provision of the penal code (Article 98) which allows for lenient sentences if the defendant proves he committed the crime

while temporarily insane. The potential repeal of women's right to divorce will have a much larger practical effect than changes to the little-used honor crimes statute.

-----  
GOVERNMENT CAUGHT OFF GUARD  
-----

16. (C) Planning Minister Awadullah, dismayed by the setback to Jordan's image, told us he placed blame at the feet of his fellow Ministers. He said the strength of Parliamentary sentiment against the bills was a surprise to Cabinet, which was unprepared to offer a defense or shore up support in the Lower House.

-----  
PRESS HAMMERS PARLIAMENT  
-----

17. (C) A broad cross section of editorialists roundly criticized the decision to initiate repeal of the two laws. Urayb Rintawi in al-Dustour said that the Parliament's convening was "one step forward", but that the Lower House's decision to repeal the two amendments was "two steps back." Bater Wardam in al-Dustour also chastised the decision on the two "progressive" amendments as an "unlucky start." The English daily, Jordan Times, was even more vehement in its August 5 editorial, "If we knew this was the kind of policy that the new Parliament would have upheld, we would have never called so eagerly for elections" and said the repealed amendments looked like "a return to the Middle Ages".

-----  
PARLIAMENT TO TAKE ON CABINET IN NEXT FEW DAYS  
-----

18. (C) The Lower House started debate on August 6 to approve or disapprove PM Abul Ragheb's new Cabinet. The debate is expected to take 3-5 days (see ref tel) and the government needs at least 60 votes to approve the Cabinet. According to local diplomatic contacts, the government has already secured 80-90 favorable votes. Despite the GOJ's probable lock on approval for the Cabinet, debate will probably still be intense. Many deputies are still smarting from the plethora of temporary laws passed under PM Abul Ragheb in the absence of a parliament and will likely use the debate as a forum to express their frustration.

-----  
COMMENT  
-----

19. (C) The GOJ, backed by the Hashemites, has in general been very supportive of moving forward on the rights of women--both Queen Rania and Princess Basma have publicly embraced women's issues. However, this would not be the first time the government faced resistance from the conservative political and social establishment in codifying its reform measures: at a conference of Arab First Ladies in October 2002, Queen Rania announced that the GOJ would extend to Jordanian women the right to pass citizenship to their children, a reform opposed by the traditionalist, East Bank community. To date, that reform has languished, despite its Queenly imprimatur. Eager to protect its impressive economic reform accomplishments, the GOJ is aware it must make some concessions to this conservative Parliament. Rumor has it, the Cabinet may fight less on social issues to spare debate on temporary laws that support rigorous economic reforms. However, Planning Minister Awadullah (a rival of the PM) blames government bungling for a defeat which harms Jordan's image and can only be reversed by depending on the Senate to slow down or freeze the pace of repeals.  
HALE